

OCT 21 2004

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To: Mr. Charles C. Agwumezie, Patent Examiner; Fax (703) 305-7687; Tel (703) 305-0586

Re: Rewrite of claim for patent application 10/082,723, "System for inexpensively executing online purchases"

Dear Mr. Agwumezie:

As per your correspondence on the subject patent, the USPTO has rejected the first four claims and has objected to the remaining Claim #5 because of dependency on the four rejected claims. A rewrite of Claim #5 to be independent of rejected claims (as per your instruction) appears below. Please advise if the rewrite is acceptable:

What I claim as my invention is:

1. A system for making online purchases comprising; a customer interface device for connecting buyers to either a voice or data network, a network of banks, a collection of buyers each of which maintains a buyer account with at least one of the banks in the network of banks, a collection of payees each of which maintains a payee account with at least one of the banks in the network of banks, a network of holding accounts with at least one holding account residing in each of the banks in the network of banks, an agent that directs the transfer of funds from a buyer account into a holding account residing in the same bank as the buyer account within the network of banks, and also directs the transfer of funds into a payee account from a holding account residing in the same bank as the payee account within the network of banks, and further comprising a means for authenticating buyers and payees and enforcing security, and further comprising a process for settling imbalances between the various holding accounts, and further comprising a means for delivering transaction logs to payees who maintain accounts within the network of banks, and which the process for settling imbalances between holding accounts consists of first transferring all of the excess funds from those holding accounts having excess funds into the one holding account having the largest deficit, and then transferring excess funds from the one holding account that formerly had the largest deficit into the remaining holding accounts having deficits, in the exact amounts needed to balance each holding account.

Sincerely,



Thomas Cannon  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,723	02/26/2002	Thomas Calvin Cannon, JR.		4735

7590 10/15/2004  
Thomas Calvin Cannon, Jr  
5165 Phantom Court  
Columbia, MD 21044-1318

EXAMINER  
AOWUMEZIE, CHARLES C

ART UNIT PAPER NUMBER  
3521

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

10/082,723

Applicant(s)

CANNON, THOMAS CALVIN

Examiner

Charlie C. Agwumazie

Art Unit

3621

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.135(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02/26/02.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date, \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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Application/Control Number: 10/082,723  
Art Unit: 3621

Claim 5 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The reference cited to Munoz, U.S. Application Publication No. 2002/0052853 A1 is considered relevant to the claimed invention:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is (703) 305-0586. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305 – 9768. The fax phone number for the organization where the application or proceeding is assigned is (703) 305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

  
JOHN W. HAYES  
PRIMARY EXAMINER